

## **Establishing Preferences and Maintaining the Waiting List**

**A. APPLICATION POOL**

An application pool will be maintained in accordance with the following factors:

1. The application will become part of a permanent file.
2. Applications will be maintained in order of preference. Applications equal in preference will be maintained by random sequence.
3. All applicants must meet income eligibility requirements as established by HUD.

The waiting list may be updated every 12 to 24 months by the OCHA.

**B. WAITING LIST PREFERENCES**

During the eligibility process, all applicants will be given the opportunity to show that they qualify for the preferences described below.

If an applicant makes a false statement in order to qualify for a preference, the OCHA will deny admission to the program for the family and they will be removed from the applicant waiting list.

**Preference:**

Subject to preference requirements, the OCHA will apply these preferences to all applicants who qualify, weighted in descending order:

- 1) Resident applicants (referred to as “members”) who live, work or have been hired to work in OCHA’s jurisdiction.

Non “member” applicants who move into or begin working in an OCHA jurisdiction will receive “member” preference status on the date their change report is received in writing. A “member” applicant will retain his/her preference for 60 days from the date they left OCHA’s jurisdiction.

If resident applicants are placed or were admitted to transitional living facilities outside of OCHA jurisdiction for reasons of health or safety from their residence within OCHA’s jurisdiction, under the administration of governmental case management, they will retain their preference.

If the applicant claims that they have lived or worked continuously in OCHA’s jurisdiction and based on the District Attorney report it is found that they were out of OCHA’s jurisdiction for a period of time they will be denied admission based on willful misrepresentation and removed from the waiting list.

- 2) Resident applicants who are being permanently displaced by OCHA Member Jurisdiction action for reasons of health or safety: The Member Jurisdiction must provide documentation to OCHA, evidenced by action adopted by the governing body, that they have offered relocation assistance and benefits as legally required (including OCHA’s Section 8 benefits) to the affected resident applicants. Such designation of preference shall not exceed ten percent (10%) of OCHA’s monthly turnover of Section 8 Vouchers. Applicants shall be referred to OCHA for consideration by a Member Jurisdiction and applicants must submit a pre-application within 120 days before or after the date the applicant is permanently displaced. OCHA shall extend this preference within the ten percent (10%) per month limitation. (See Opening/Closing of Application Waiting List in Chapter 5.)
- 3) Applicants who are currently serving in the U. S. armed forces, or veterans who have been honorably discharged or surviving spouses of veterans (who have not re-married after the death of the veteran).

4) Applicants (families/individuals) with earned income from recent employment who meet the following criteria:

- Only head of household, spouse or sole member can qualify
- Must receive earned income which is defined as salaries and wages, overtime pay, tips and bonuses, and any other form of compensation for work performed.
- Work at least 42 weeks in each of the last three (3) previous years prior to qualifying for the preference and to continue this same level of employment until initial rental assistance is received.
- Length of employment is calculated separately for each individual and cannot be combined with another person to qualify.
- Employment must be verifiable – burden of proof is the responsibility of the applicant.

To minimize the risk of discrimination, HUD requires that any working preference must also be given to applicant households whose head, spouse, or sole member is age 62 or older or is receiving Social Security disability, Supplement Social Security Income disability benefits, or any other payments based on the individual's inability to work.

### **C. PREFERENCE ELIGIBILITY**

Applicants will be placed on the waiting list according to information provided by them as to their qualification for preferences. This preference claim will not be verified at the time of preapplication.

If an applicant misrepresents an address to retain jurisdictional member preference, their file will be made inactive.

Applicant circumstances may change while awaiting a Voucher offer. These changes may affect entitlement to a preference. Applicants are required to notify the OCHA in writing within 15 calendar days of any change in their circumstances. Whenever applicants claim a different preference, they will be placed on the waiting list in the order of their claimed preference.

However, to be finally determined eligible, applicants must still meet the preference category(ies) cited at the time that a Voucher is expected to be available and a full application is completed during the OCHA Intake review.

If the applicant's preference cannot be verified, the applicant will be notified of the preference denial and given the opportunity for an informal review as authorized in Chapter 5, Section G.

### **D. ORDER OF SELECTION**

The selection from OCHA's waiting list will be made without regard to race, color, creed, religion, sex, handicap or disability, national origin, familial status, marital status, or source of income.

The preapplicants will be selected according to preference status and random placement of the pre-application.

Interviews for completion of a full application are scheduled on this basis.

### **E. REOPENING OF WAITING LIST FOR PREFERENCES**

The OCHA will announce the opening of its Waiting List whenever it is determined that fewer applicants are on the waiting list than would provide 24 months of referrals for assistance from that list. As funding becomes available for Special Programs or Project-Based Assistance, the OCHA will change the placement of waiting list applicants that meet the criteria for those programs. The OCHA may open the waiting list to accept pre-applications from applicants that meet conditions for those programs.

**F. MAINTAINING THE WAITING LIST**

After the preliminary eligibility determination has been made, applicants are placed on the appropriate waiting list in order of preference. The OCHA will maintain an accurate waiting list which conforms to HUD requirements.

The waiting list will provide the following information on apparently eligible households who have an active preapplication:

1. Name of head of household
2. Date, time, and random placement number of the preapplication
3. Unit size required
4. Preference status codes
5. Minority and ethnicity status

**G. UPDATING THE WAITING LIST**

The OCHA may periodically update the waiting list to ensure that it is current and accurate. The OCHA will mail a notice to the applicant's last known address, requesting information regarding their continued interest in maintaining a place on the waiting list.

If the applicant did not notify the OCHA of a move as required, the OCHA will not be responsible for the applicant's failure to receive the update request.

The request notice will include a deadline date by which applicants must contact the OCHA of their continued interest, by mail or in person. If the OCHA fails to receive the applicant's notice of continued interest by the deadline date, the applicant's name will be removed from the waiting list.

If the letter is returned by the Post Office, with the forwarding address noted, the OCHA will resend the letter. If the letter is returned by the Post Office as undeliverable, this will be used as proof that the applicant has moved without notice to the OCHA and that the applicant will be removed from the Waiting List.

The OCHA does not accept responsibility for mail delays and/or nonreceipt by the applicant.

If there is no response within the time period stated in the OCHA's letter, the OCHA will send the notice to the applicant for the denial of assistance with an opportunity for an informal review.

**H. FINALIZING THE DETERMINATION**

All completed and verified applications are added to an "eligible" list and families are called in for briefing and issuance of Vouchers in accordance with this Administrative Plan.

A statistical report is prepared by the Section 8 staff each month to ensure that the very low income requirement is met, that the elderly/non-elderly and unit size distribution is followed and that the number of Vouchers issued is sufficient to maintain contracts for the number of units authorized under the Annual Contributions Contracts with HUD.